



**PELTON GRAHAM LLC**  
ADVOCATES FOR JUSTICE

October 7, 2024

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**VIA CM/ECF**

Hon. Vera M. Scanlon, Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: *Porter, et al. v. MooreGroup Corporation, et al.***  
**Civil Action No. 17-cv-07405 (KAM)(VMS)**

Dear Magistrate Judge Scanlon:

This firm represents the plaintiffs in the above-referenced action. We write first to express our condolences to Mr. Kilgannon and his family and to consent to his request for an adjournment, which we would have of course granted had Mr. Kilgannon contacted this office prior to filing.

Given that both myself and Mr. Graham have arranged our travel schedules to be present at the conference scheduled for tomorrow, we respectfully request that the conference be adjourned to later this week. We are available throughout the week at the Court's convenience to discuss expert discovery, class notice, and other issues.<sup>1</sup>

Alternatively, Plaintiffs respectfully request an extension of expert report deadlines to the deadlines set forth in the September 13, 2024 letter motion (Dkt. No. 146): expert reports due November 27, 2024, and rebuttal reports due January 27, 2025. Plaintiffs do not seek extensions of the close of expert discovery date. Alternatively, Plaintiffs request a thirty (30) day extension of the deadlines ordered by the Court, such that the expert report deadline be extended from October 9, 2024 to November 8, 2024, and the rebuttal report deadline be extended from November 27, 2024 to December 30, 2024. While Plaintiffs' expert is in possession of all necessary materials and is actively working on the report, it is not possible at this time for Plaintiffs' expert to complete the report by the original October 9, 2024 deadline. Plaintiffs sincerely apologize for any confusion caused by the September 13 Letter Motion.

As for Your Honor's Order regarding Class Notice, Plaintiffs recognize that Judge Matsumoto has previously addressed certain issues of class notice, including approving the form of Class Notice. (Dkt. Nos. 111; Order of the Court dated May 31, 2022). Given that Your Honor

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<sup>1</sup> Plaintiffs are also concerned about ongoing retaliation against at least one, and potentially a large group of, Class Members.

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has been closely involved in the class list dispute, however, Plaintiffs believed it appropriate for Your Honor to rule on whether it is proper for Plaintiffs to issue class notice at this time, given the procedural posture of the case. To be clear, Plaintiffs do not seek further class list discovery.

We appreciate the Court's ongoing attention to this matter. Please contact the undersigned with any questions regarding this request.

Respectfully submitted,

*/s/ Brent E. Pelton*

Brent E. Pelton, Esq.  
PELTON GRAHAM LLC

cc: All counsel (via CM/ECF)